

## Volusia County Sheriff's Office Supervisor Investigation Report

**Incident Entered By:** SGT Justin Stewart - 6872

**Assigned Investigator:** [Incident pending assignment]

### Incident Details

<b>Date Received</b>	<b>Date of Occurrence</b>	<b>Time of Occurrence</b>
10/10/2019	9/9/2019	10:00
<b>Record ID #</b>	<b>Agency Case #</b>	<b>File #</b>
25944	19-21180	SI 19-054
<b>Date/Time Entered</b>		
10/10/2019 10:44		

### Incident Summary

On October 1st, 2019, Sergeant Stewart received an email from Lt. Newman advising that a Crystal Franceschi wished to voice a complaint about School Resource Deputy Billy Galarza ID#8347. Sergeant Stewart made phone contact with Crystal who advised the following: Her daughter was beat up at Pine Ridge High School approximately one month ago and it did not get documented. When she approached Deputy Galarza recently he advised he had no idea what she was talking about. Ms. Franceschi advised Deputy Galarza was rude to her. When asked to clarify the specifics of what Deputy Galarza did she stated that it "appeared" as if he did not believe her and was "blowing" the situation off. Ms. Franceschi explained to Sergeant Stewart at this point she definitely wanted to pursue charges in reference to the battery on her daughter, Aaliyah.

Sergeant Stewart researched the incident in question and did not locate an agency report. Sergeant Stewart contacted Deputy Galarza who advised he was familiar with the situation. Deputy Galarza advised he was not the School Resource Deputy when this incident occurred and was unsure of who would have received the initial complaint. Deputy Galarza did advise he spoke with Ms. Franceschi. Ms. Franceschi was unsure if she wanted to pursue charges at the time and just wanted Deputy Galarza to speak with the suspect. Deputy Galarza spoke with the suspect who advised there would be no further issues.

Sergeant Stewart located three body worn camera videos related to this incident, prior to the completion of the report. In the first video, September 17th, 2019, Deputy Galarza is contacted by Aaliyah who reports the battery. Deputy Galarza makes phone contact with Ms. Franceschi and they arrange to meet in the morning to determine how to proceed with the investigation. Sergeant Stewart reviewed the 2nd video which took place on September 18th, 2019. In this video Deputy Galarza is speaking to Ms. Franceschi with her daughter present. In this video Deputy Galarza speaks with Ms. Franceschi for approximately 35 minutes in reference to the incident. When Deputy Galarza asks, multiple times, Ms. Franceschi advises that she just wants to make sure this doesn't happen again. She further advises she just wants Deputy Galarza to speak to the suspect and make sure there are no further issues at school. In the third video, Deputy Galarza confronts the suspect and tells her to have no further issues with Aaliyah or there will be repercussions.

At some point between speaking with Deputy Galarza and Sergeant Stewart, Ms. Franceschi changed her mind and decided she did want to pursue charges on behalf of her daughter. Based on Ms. Franceschi's change of heart about pursuing charges, Deputy Galarza immediately conducted a full investigation into the incident which resulted in the suspect being placed under arrest. This is documented under VSO Case number 190021180 which is attached along with body worn camera footage.

On October 10th, at approximately 1045 hours, Sergeant Stewart made contact with Ms. Franceschi via telephone. Ms. Franceschi was extremely satisfied with the outcome and was more than pleased with her further interaction with Deputy Galarza. Ms. Franceschi did not require any further supervisory involvement in this matter.

Sergeant Stewart informally counseled Deputy Galarza in reference to documenting incidents when notified pursuant to VSO Policy 26.2.132 General Proficiency.

Based on this investigation this complaint is determined to be UNFOUNDED.

## Incident Location

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- 926 Howland Boulevard, Deltona, FL 32738 - Location of Occurrence: District 4

## Categories

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## Reporting/Involved Citizen Information

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### Crystal Franceschi

DOB:    Race: Hispanic    Ethnicity:    Gender: Female

#### Address

- 831 Old England Loop, Sanford, FL 32771

#### Phone

- (407) 485-6735

#### Role

- Bystander

## Involved Employees

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### DEP Billy Galarza - DID #: 8347

**Assignment at time of incident:** Title: DEP CSSR

**Video Footage:** [No Response]

#### Role

- Primary

## Citizen Witnesses

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### Aaliyah Franceschi

**DOB: 5/14/2003 - Race: White - Gender: Female**

#### Address

- 831 Old England Loop, Sanford, FL 32771

#### Role

- Victim

### Alexis Robertson

**DOB: 8/13/2002 - Race: White - Gender: Female**

**Address**

- 2466 Cardena Avenue, Deltona, FL 32728

**Phone**

- (386) 917-9262

**Role**

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## Tasks

No tasks to show

## Running Sheet Entries

No running sheet entries to show

## Attachments

Date Attached	Attachment Description	Attachment Type
10/17/2019	Original Report	pdf
10/17/2019	Supplement	pdf
10/17/2019	Statements	pdf
10/17/2019	BWC Video from 10/03	
10/22/2019	BWC Video 1 from 09/18	
10/22/2019	BWC Video from 09/17	
10/22/2019	BWC Video 2 from 09/18	

## Assignment History

Sent Dt	From	To
11/8/2019	Sergeant Ryan Mills	(None Specified)
<b>Assignment notes</b> Field status changed in IAPro from To IA to Released		
<b>Email sent to receiver</b> No email sent		
11/8/2019	Sergeant Ryan Mills	(None Specified)
<b>Assignment notes</b> Released back to IAPro		
<b>Email sent to receiver</b> No email sent		

## Chain of Command History

Routing #1	
Sent From:	SGT Justin Stewart
Sent To:	LT Michelle Newman
CC:	(none)

Sent Date/Time:	10/10/2019 11:14 AM
<b>Instructions from SGT Justin Stewart to LT Michelle Newman:</b>	
For review	
<b>Comments/Response from LT Michelle Newman:</b>	
Comments: [Forwarded by LT Michelle Newman]	

<b>Routing #2</b>	
Sent From:	LT Michelle Newman
Sent To:	SGT Justin Stewart
CC:	(none)
Sent Date/Time:	10/11/2019 10:08 AM
<b>Instructions from LT Michelle Newman to SGT Justin Stewart:</b>	
I sent you a separate email with a few questions regarding this incident. Thank you!	
<b>Comments/Response from SGT Justin Stewart:</b>	
Comments: [Forwarded by SGT Justin Stewart]	

<b>Routing #3</b>	
Sent From:	SGT Justin Stewart
Sent To:	LT Michelle Newman
CC:	(none)
Sent Date/Time:	10/22/2019 9:12 AM
<b>Instructions from SGT Justin Stewart to LT Michelle Newman:</b>	
BWC video located and added, along with brief description of videos.	
<b>Comments/Response from LT Michelle Newman:</b>	
Comments: [Forwarded by LT Michelle Newman]	

<b>Routing #4</b>	
Sent From:	LT Michelle Newman
Sent To:	CAPT Erik Eagan
CC:	(none)
Sent Date/Time:	10/22/2019 2:31 PM
<b>Instructions from LT Michelle Newman to CAPT Erik Eagan:</b>	
For your review.	
<b>Comments/Response from CAPT Erik Eagan:</b>	
Comments: [Forwarded by CAPT Erik Eagan]	

<b>Routing #5</b>	
Sent From:	CAPT Erik Eagan
Sent To:	LT Michelle Newman
CC:	(none)
Sent Date/Time:	10/23/2019 10:51 AM
<b>Instructions from CAPT Erik Eagan to LT Michelle Newman:</b>	
As we discussed	
<b>Comments/Response from LT Michelle Newman:</b>	
Comments: [Forwarded by LT Michelle Newman]	

<b>Routing #6</b>	
Sent From:	LT Michelle Newman

Sent To:	SGT Justin Stewart
CC:	(none)
Sent Date/Time:	10/23/2019 10:57 AM
<b>Instructions from LT Michelle Newman to SGT Justin Stewart:</b>	
As discussed, please let me know if you have any questions. Thank you!	
<b>Comments/Response from SGT Justin Stewart:</b>	
Comments: [Forwarded by SGT Justin Stewart]	

<b>Routing #7</b>	
Sent From:	SGT Justin Stewart
Sent To:	LT Michelle Newman
CC:	(none)
Sent Date/Time:	10/25/2019 11:41 AM
<b>Instructions from SGT Justin Stewart to LT Michelle Newman:</b>	
For review	
<b>Comments/Response from LT Michelle Newman:</b>	
Comments: [Forwarded by LT Michelle Newman]	

<b>Routing #8</b>	
Sent From:	LT Michelle Newman
Sent To:	CAPT Erik Eagan
CC:	(none)
Sent Date/Time:	10/25/2019 12:18 PM
<b>Instructions from LT Michelle Newman to CAPT Erik Eagan:</b>	
For your review.	
<b>Comments/Response from CAPT Erik Eagan:</b>	
Comments: [Forwarded by CAPT Erik Eagan]	

<b>Routing #9</b>	
Sent From:	CAPT Erik Eagan
Sent To:	Admin Group
CC:	(none)
Sent Date/Time:	10/25/2019 2:24 PM
<b>Instructions from CAPT Erik Eagan to Admin Group:</b>	
FYR	
<b>Comments/Response from CAPT Eric Westfall:</b>	
Comments: [Forwarded by CAPT Eric Westfall]	

<b>Routing #10</b>	
Sent From:	CAPT Eric Westfall
Sent To:	DCHF Timothy Morgan
CC:	(none)
Sent Date/Time:	10/25/2019 4:41 PM
<b>Instructions from CAPT Eric Westfall to DCHF Timothy Morgan:</b>	
Concur with the findings of the inquiry. However, at face value this would appear to be an at best a S.I. rather than a C.C. If it was determined this was a C.C. then a C.C. form should have been obtained from the reporting party, or migrated to a C.C. form, and attached to the BT.	
<b>Comments/Response from DCHF Timothy Morgan:</b>	
Comments: [Forwarded by DCHF Timothy Morgan]	

Routing #11	
Sent From:	DCHF Timothy Morgan
Sent To:	CHDP Joseph Gallagher
CC:	(none)
Sent Date/Time:	10/29/2019 2:35 PM
<b>Instructions from DCHF Timothy Morgan to CHDP Joseph Gallagher:</b>	
I concur with the informal counseling. There is no CC form attached to this therefore this should have been a SI. I will speak to Capt. Eagan about CC and S.I's.	
<b>Comments/Response from CHDP Joseph Gallagher:</b>	
Comments: [Forwarded by CHDP Joseph Gallagher]	

Routing #12	
Sent From:	CHDP Joseph Gallagher
Sent To:	Admin IA
CC:	(none)
Sent Date/Time:	10/31/2019 1:22 PM
<b>Instructions from CHDP Joseph Gallagher to Admin IA:</b>	
Concur	
<b>Comments/Response from SGT Ryan Mills:</b>	
Comments: [Forward to IAPro by SGT Ryan Mills]	

**Assigned Investigator Signature Line**

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[Incident pending assignment]

**Chain of Command Signature Lines**

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LT Michelle Newman

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SGT Justin Stewart

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CAPT Erik Eagan

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CAPT Eric Westfall

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DCHF Timothy Morgan

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CHDP Joseph Gallagher

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SGT Ryan Mills

